

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
                                )  
Plaintiff,                 )  
                                )  
v.                            )  
                                )  
AARON JOSHUA LAWLESS,     )  
                                )  
Defendant.                 )  
                                )  
\_\_\_\_\_

4:09CR3005

MEMORANDUM, ORDER  
AND  
RECOMMENDATION

At the conclusion of the hearing this date on the defendant's motions to suppress evidence, I stated my conclusions on the record and my decision to recommend that the motion to suppress be denied. In accordance with that announcement,<sup>1</sup>

IT HEREBY IS RECOMMENDED to the Honorable Richard G. Kopf, United States District Judge, that the motion to suppress, filing no. 27 and the amended motion to suppress, filing no. 49, be denied in all respects.

FURTHER, IT HEREBY IS ORDERED,

1. The clerk shall cause an expedited transcript of the hearing to be prepared and filed.
2. Counsel are given ten days from the date the transcript is available to counsel in which to file objections to this recommendation. The parties are notified that failure to object may be held to be a waiver of the right to appeal the district judge's adoption of the recommendation.
3. Trial of this matter will be set at a later date.

DATED May 18, 2009.

BY THE COURT:

s/ *David L. Piester*  
David L. Piester  
United States Magistrate Judge

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<sup>1</sup>I neglected to mention that as a result of the interview being properly and constitutionally conducted, the search of the residence could not be "fruit of the poisonous tree," and therefore was also constitutionally conducted. I so conclude.